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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

REARDEN LLC, a California limited liability company; REARDEN PRODUCTIONS LLC, a California limited liability company; REARDEN STUDIOS LLC, a California limited liability company; REARDEN, INC., a California corporation; and REARDEN PROPERTIES LLC, a California limited liability company,

Plaintiffs,

v.

REARDEN COMMERCE, INC., a California corporation, and DOES 1 through 150, inclusive,

Defendants.

Case No. C 06-07367 MHP

**STIPULATION AND
~~PROPOSED~~ ORDER TO STAY
EXECUTION OF JUDGMENT
FOR PAYMENT OF COSTS
UPON POSTING OF
SUPERSEDEAS BOND**

Dept.: Courtroom 15, 18th Floor
Before: Hon. Marilyn H. Patel

1 The parties, through their respective undersigned counsel, hereby stipulate pursuant to
2 Local Rule 7-12 and Federal Rule of Civil Procedure 62(d) as follows:

3 WHEREAS, on July 2, 2010, the Court entered a Final Judgment in favor of Defendant
4 Rearden Commerce, Inc., awarding Defendant costs (Dkt. 282);

5 WHEREAS, on July 17, 2010, Defendant submitted to the Court its bill of costs totaling
6 \$35,770.12 (Dkt. 283), which amount was not disputed by Plaintiffs;

7 WHEREAS, Plaintiffs have timely filed a notice of appeal to the United States Court of
8 Appeals for the Ninth Circuit (Dkt. 284);

9 WHEREAS, the parties have met and conferred and agreed upon the amount of
10 supersedeas bond necessary to stay execution of Plaintiffs' payment of costs until the United
11 States Court of Appeals for the Ninth Circuit decides Plaintiffs' appeal;

12 WHEREAS, pursuant to FRCP 62(d), the parties request the Court's approval of
13 Plaintiffs' proposed supersedeas bond in the amount of \$35,770.12;

14 IT IS HEREBY STIPULATED that:

15 Immediately upon the filing by Plaintiffs of a supersedeas bond in an amount of not less
16 than \$35,770.12, the judgment for costs in the amount of \$35,770.12 shall be entered in favor of
17 Defendant Rearden Commerce, payment of which to Defendant by Plaintiffs shall be stayed
18 pursuant to FRCP 62(d), until the mandate is issued by the United States Court of Appeals for the
19 Ninth Circuit.

20
21 Dated: August 20, 2010

MORRISON & FOERSTER LLP

22
23 By: /s/ Brian L. Levine
BRIAN L. LEVINE
Attorneys for Plaintiffs

24
25 Dated: August 20, 2010

GREENBERG TRAURIG LLP

26 By: /s/ Kevin J. O'Shea
KEVIN J. O'SHEA
Attorneys for Defendants
27
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1 I, Brian L. Levine, am the ECF User whose ID and password are being used to file this
2 STIPULATION AND [PROPOSED] ORDER TO STAY EXECUTION OF JUDGMENT FOR
3 PAYMENT OF COSTS UPON POSTING OF SUPERSEDEAS BOND. In compliance with
4 General Order 45, X.B., I hereby attest that Douglas L. Hendricks and Kevin O'Shea have
5 concurred in this filing.

6 Dated: August 20, 2010

MORRISON & FOERSTER LLP

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8 By: /s/ Brian L. Levine
9 BRIAN L. LEVINE

10 Attorneys for Plaintiffs

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12 PURSUANT TO STIPULATION, IT IS SO ORDERED.

13 Dated: 8/23, 2010

14
15 THE HONORABLE MARILYN H. PATEL
16 UNITED STATES DISTRICT COURT
17 JUDGE

